

LYNCHBURG CITY COUNCIL  
Agenda Item Summary

MEETING DATE: **October 9, 2007**

AGENDA ITEM NO.: 5

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

ITEM TITLE: **Central Virginia Community Services Board (CVCSB) Request to purchase and renovate the Courtland Building**

RECOMMENDATION:

Adopt a Resolution approving the submission of an application and consenting to the issuance of debt in a principal amount not to exceed \$2,200,000 by the Central Virginia Community Services Board in order to purchase and renovate the Courtland Building.

SUMMARY:

Central Virginia Community Services Board (CVCSB) wishes to purchase the Courtland Building, a facility which it is now leasing. CVCSB has submitted a financing application to the Virginia Municipal League/Virginia Association of Counties Finance Program for the purpose of financing the costs of acquiring, renovating and undertaking various capital improvements to the Courtland Building. CVCSB is recommending that each member jurisdiction adopt a resolution to approve the submission of the Application. The issuance of the debt shall not directly, indirectly or contingently obligate the City of Lynchburg to pledge its faith and credit or to levy any taxes for the payment of the principal amount of or premium, if any, and interest on the debt or other costs incident to it.

PRIOR ACTION(S):

None

FISCAL IMPACT:

None

CONTACT(S):

Wayne Trent, Director of Administration 847-8050

ATTACHMENT(S):

Resolution

Letter dated September 27, 2007

REVIEWED BY: lkp

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNCHBURG APPROVING THE ISSUANCE OF DEBT BY THE CENTRAL VIRGINIA COMMUNITY SERVICES BOARD AND RELATED MATTERS

WHEREAS, the Board of Directors of the Central Virginia Community Services Board (the "Board") has authorized the submission of a financing application (the "Application") to the Virginia Municipal League / Virginia Association of Counties Finance Program which shall include a pooled bond program designed specifically for community services boards structured in consultation with VML/VACo Finance Program (the "VML / VACo Program") for the purpose of financing the costs of acquiring, renovating and undertaking capital improvements for the benefit of, certain property and facilities currently being leased by the Board, generally referred to as the Courtland Project, together with related costs and expenses (the "Project"), through the issuance of one or more notes or bonds of the Board in a principal amount not to exceed \$2,200,000 (the "Note").

WHEREAS, pursuant to Chapter 5, Subtitle II, Title 37.2 of the Code of Virginia of 1950, as amended (the "Act"), including Section 37.2-504 of the Act, the Board is authorized to accept loans as authorized by the governing bodies of the political subdivisions that established, which consist of Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg (collectively, the "Member Jurisdictions"), and such consent is being requested prior to the issuance of the Note by the Authority.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council of the City of Lynchburg (the "Locality") hereby approves the submission of the Application and consents to the issuance of the Note by the Board in order to finance the Project and to pay related costs and expenses, upon terms and conditions, and pursuant to such financing, collateral, and other documents, as shall be approved by the Board pursuant to a subsequent resolution adopted by the Board.
2. Each duly authorized officer of the Locality is hereby authorized to execute and deliver such additional instruments or to take such additional action as may be reasonably necessary to effectuate the purposes and intent of this Resolution and the issuance of the Note by the Board. Under no circumstances, however, shall the payment of debt service on the Note constitute a general obligation indebtedness or a pledge of the full faith and credit or taxing power of any of the Member Jurisdictions.
3. This resolution shall take effect immediately.

Adopted:


Certified:

\_\_\_\_\_  
Clerk of Council

142P

September 27, 2007

Mr. L. Kimball Payne III  
City Manager  
City of Lynchburg  
900 Church Street  
Lynchburg, VA 24504

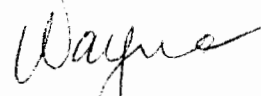
  
Dear Mr. Payne:

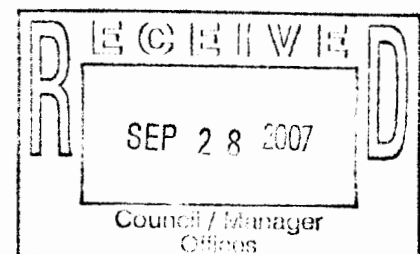
Central Virginia Community Services wishes to participate once again in the VML/VACo Finance Program developed for Community Services Boards, to purchase the Courtland Building.

At its meeting September 26, the Board adopted the enclosed resolution required for participation. The resolution recommends that each of our participating jurisdictions adopt a similar resolution, also enclosed, approving the application.

We will appreciate your taking this matter to City Council at the next scheduled meeting. Thank you for your help in this matter.

Sincerely,

  
L. Wayne Trent,  
Director of Administration



RESOLUTION OF THE  
CENTRAL VIRGINIA COMMUNITY SERVICES BOARD

WHEREAS, the Central Virginia Community Services Board (the "Board") is a public body politic and corporate of the Commonwealth of Virginia duly created pursuant to Chapter 5, Subtitle II, Title 37.2 of the Code of Virginia of 1950, as amended (the "Act"), and is organized and operated in accordance with the Charter Agreement by and among the Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg (collectively, the "Member Jurisdictions").

WHEREAS, the Director of Administration of the Board has previously submitted a financing application (the "Application") to the Virginia Municipal League / Virginia Association of Counties Finance Program which shall include a pooled bond program designed specifically for community services boards structured in consultation with VML/VACo Finance Program (the "VML / VACo Program") for the purpose of financing the costs of acquiring, renovating and undertaking various capital improvements for the benefit of, certain property and facilities currently being leased by the Board, generally referred to as the Courtland Project, together with related costs and expenses ( the "Project").

WHEREAS, pursuant to the terms and conditions of the Act, the Board is authorized to accept loans as authorized by its Member Jurisdictions.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of the Board (the "Board of Directors") hereby approves of the submission of the Application to the VML / VACo Program and authorizes and directs the Director of Administration and Executive Director of the Board to provide such additional information and to take such additional actions as may be reasonably necessary to comply with the requirements for the Board's proposed participation in the VML / VACo Program.

2. The Board hereby recommends to the Member Jurisdictions that each such Member Jurisdiction adopt and approve a resolution substantially in the form attached hereto as Exhibit A which authorizes and approves the submission of the Application and the issuance of one or more notes or bonds by the Board in a principal amount not to exceed \$2,200,000 (the "Note") pursuant to the VML / VACo Program in order to finance the costs of the Project upon terms and conditions, and pursuant to such financing, collateral, and other documents, as shall be approved by the Board pursuant to a subsequent resolution adopted by the Board.

3. The issuance of the Note shall not directly, indirectly or contingently obligate the Commonwealth of Virginia or any Member Jurisdiction to pledge its faith and credit or to levy any taxes for the payment of the principal of or premium, if any, and interest on the Note or other costs incident to it.

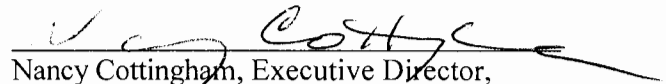
4. All prior acts of the Chairman, the Vice-Chairman, the Director of Administration and the Executive Director of the Board, and other officers, agents or representatives of the Board that are in conformity with the purposes and intent of this Resolution and in furtherance of the submission of the Application, the plan of financing contemplated thereby and the issuance of the Note by the Board, are hereby ratified, reaffirmed and approved.

5. LeClair Ryan, A Professional Corporation, is hereby appointed bond counsel to the Board in connection with the issuance of the Note.

6. To the extent applicable and necessary, in adopting this resolution the Board intends to evidence its "official intent" to reimburse Project expenditures with proceeds from the issuance a tax-exempt financing within the meaning of Treasury Regulations Section 1.150-2 promulgated by the Internal Revenue Service pursuant to the Internal Revenue Code of 1986, as amended.

The undersigned Executive Director of the Central Virginia Community Services Board, hereby certifies that the foregoing is a true, correct and complete copy of a resolution adopted by a majority of the Board of Directors of the Board present and voting at a meeting duly called and held on September 26, 2007, and that such resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof. A summary of the members present or absent at such meeting, and the recorded vote with respect to the foregoing resolution, is set forth below:

Director Name	Present	Absent	Voting		
			Yes	No	Abstaining
BOYERS, Sue	<u>X</u>		<u>X</u>		
BROCKMAN, Nancy	<u>X</u>		<u>X</u>		
CRAFT, William	<u>X</u>		<u>X</u>		
DOSS, Lynn	<u>X</u>		<u>X</u>		
EDWARDS, Lindsey		<u>X</u>			
FALWELL, Charles	<u>X</u>		<u>X</u>		
FORE, Thomas	<u>X</u>		<u>X</u>		
HELGESON, Jeff	<u>X</u>		<u>X</u>		
KOENIG, Dana	<u>X</u>		<u>X</u>		
LOWRY, Gary	<u>X</u>		<u>X</u>		
MARPLE, Gary	<u>X</u>		<u>X</u>		
PARKER, Debbie	<u>X</u>		<u>X</u>		
PORTER, Clyde	<u>X</u>		<u>X</u>		
ROSE, Marsha	<u>X</u>		<u>X</u>		
THEISEN, Phil		<u>X</u>			

  
Nancy Cottingham, Executive Director,  
Central Virginia Community Services Board